

A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS
OFFICERS, OR ITS EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. The following sums or so much thereof as may be necessary for fiscal year 2014-2015 are appropriated out of the general revenues of the State of Hawaii to the department of the attorney general for the purpose of satisfying claims for legislative relief as to the following named persons, firms, corporations, and entities, for claims against the State or its officers or employees for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities, in the amounts set forth opposite their names:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	AMOUNT
1. DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES:	
American Civil Liberties Union of Hawaii and Pamela G. Lichty v. Dean H. Seki, Civil No. 14-00150 JMS-RLP, USDC	\$ 12,401.00 Settlement
SUBTOTAL:	\$ 12,401.00



2. DEPARTMENT OF THE ATTORNEY GENERAL:

Fotoudis v. City and County of Honolulu, et al., Civil No. 14-00333, USDC	\$	7,250.00 Settlement
--	----	------------------------

SUBTOTAL	\$	7,250.00
----------	----	----------

3. DEPARTMENT OF EDUCATION:

Kahiapo, et al. v. State of Hawaii, et al. Civil No. 11-1-2685-11, First Circuit	\$	30,000.00 Settlement
---	----	-------------------------

Lee-Vith, et al. v. Department of Education, et al., Civil No. 12-1-2443-09, First Circuit	\$	13,500.00 Settlement
---	----	-------------------------

Fukuda v. Department of Education, et al. Civil No. 12-1-200507, First Circuit	\$	80,000.00 Settlement
---	----	-------------------------

Nishi v. Board of Education, et al. Civil No. 14-1-1295-06, First Circuit	\$	325,000.00 Settlement
--	----	--------------------------

SUBTOTAL:	\$	448,500.00
-----------	----	------------

4. HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND:

In the Matter of Dr. Morton Cotlar Case No. 2014-001	\$	30,589.00 Settlement
---	----	-------------------------

SUBTOTAL:	\$	30,589.00
-----------	----	-----------

5. DEPARTMENT OF HEALTH:

Daligcon, et al. v. State of Hawaii, et al. Civil No. 12-1-1269-05, First Circuit	\$	96,701.54 Settlement
--	----	-------------------------

Rodriguez v. Onaka, et al. Civil No. 13-1-2207-08, First Circuit	\$	5,728.85 Judgment
---	----	----------------------



1			
2			
3	SUBTOTAL:	\$	102,430.39
4			
5	6. DEPARTMENT OF HUMAN SERVICES:		
6			
7	Alexander, et al. v. State of Hawaii, et al.	\$	350,000.00
8	Civil No. 11-1-0795-04, First Circuit		Settlement
9			
10	Costales v. Rosete, et al.	\$	462,594.00
11	Civil No. 07-1-2360-12, First Circuit		Settlement
12			
13	Polm, et al. v. Department of Human	\$	135,469.79
14	Services, et al., Civil No.		Judgment
15	11-1-0548-03, First Circuit		
16			
17			
18	SUBTOTAL:	\$	948,063.79
19			
20	7. DEPARTMENT OF LAND AND NATURAL RESOURCES:		
21			
22	Tort Claim of Lisa M. Shamis	\$	45,000.00
23			Settlement
24			
25			
26	SUBTOTAL:	\$	45,000.00
27			
28	8. DEPARTMENT OF PUBLIC SAFETY:		
29			
30	Slingluff v. State of Hawaii, et al.	\$	1,036,395.94
31	Civil No. 06-1-1654-09, First Circuit		Judgment
32			
33	Waiolama, et al. v. State of Hawaii, et al.	\$	69,094.33
34	Civil No. 09-1-0679-03, First Circuit		Judgment
35			
36	Lessary v. State of Hawaii, et al.	\$	50,000.00
37	Civil No. 12-1-1897-07, First Circuit		Settlement
38			
39	Rosen Bien Galvan & Grunfeld, LLP, v.	\$	25,598.78
40	Department of Public Safety, et al.,		Settlement
41	Civil No. 13-1-1078-04, First Circuit		



1		
2		
3	SUBTOTAL:	\$ 1,181,089.05
4		
5	9. OFFICE OF THE GOVERNOR:	
6		
7	Oahu Publications, Inc., dba The Honolulu	\$ 45,000.00
8	Advertiser v. Abercrombie,	Settlement
9	SCWC-13-0000127, CAAP-13-0000127,	
10	Civil No. 11-1-1871-08, First Circuit	
11		
12		
13	SUBTOTAL:	\$ 45,000.00
14		
15	10. MISCELLANEOUS CLAIMS:	
16		
17	Eager v. State of Hawaii, et al.	\$ 2,804.56
18	Civil No. 12-1-1408-05, First Circuit	
19		
20	Raedrina A. Kealoha	\$ 51.12
21		
22	Korean Airlines Co., Ltd.	\$ 2,177.50
23		
24	Thomas K. Nagano	\$ 199.80
25		
26	Mark Tamashiro	\$ 4,347.36
27		
28	GE Capital Info Technology SOL	\$ 3,248.47
29		
30	GTE Communication Systems Corp.	\$ 3,421.56
31		
32	Kellogg Sales Company	\$ 2,660.59
33		
34	Lehman Brothers, Inc.	\$ 14,906.96
35		
36		
37	SUBTOTAL:	\$ 33,817.92
38	Total (SECTION 1):	\$ 2,854,141.15



The sums appropriated shall be expended by the department of the attorney general for the purposes of this Act.

PART II

SECTION 2. The following sums or so much thereof as may be necessary for fiscal year 2014-2015 are appropriated out of the state highway fund for the purpose of satisfying claims for legislative relief as to the following named persons, for claims against the State or its officers or employees for payments of judgments or settlements, or other liabilities, in the amount set forth opposite their names:

JUDGMENTS AGAINST THE STATE	AMOUNT
AND SETTLEMENTS OF CLAIMS:	
DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
Higa v. State of Hawaii, et al.	\$ 72,000.00
Civil No. 14-1-0751 ECN, First Circuit	Settlement
<hr/>	
SUBTOTAL:	\$ 72,000.00
TOTAL (SECTION 2)	\$ 72,000.00

The sums appropriated shall be expended by the department of transportation, highways division, for the purposes of this Act.



PART III

SECTION 3. The following sums or so much thereof as may be necessary for fiscal year 2014-2015 are appropriated out of the harbor special fund for the purpose of satisfying claims for legislative relief as to the following named persons, for claims against the State or its officers or employees for payments of judgments or settlements, or other liabilities, in the amount set forth opposite their names:

JUDGMENTS AGAINST THE STATE
AND SETTLEMENTS OF CLAIMS:

AMOUNT

DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION:

Barnard v. State of Hawaii, et al.	\$ 93,734.77
Civil No. 12-1-2924-11, First Circuit	Settlement

SUBTOTAL:	\$ 93,734.77
-----------	--------------

TOTAL (SECTION 3)	\$ 93,734.77
-------------------	--------------

The sums appropriated shall be expended by the department of transportation, harbors division, for the purposes of this Act.

PART IV

SECTION 4. The sums hereinabove may be paid to the respective persons, or for the satisfaction or settlement of the



1 respectively identified cases, and in several amounts
2 hereinabove set forth or in lesser amounts deemed appropriate,
3 upon checks issued by the comptroller; provided departments
4 shall obtain the approval of the attorney general before payment
5 of any claim can be made.

6 SECTION 5. Notwithstanding the sums hereinabove stated as
7 interest upon judgments against the State, payment of interest
8 shall be limited to the period from the date of judgment, if
9 applicable, to thirty days after the effective date of this Act,
10 as provided in section 662-8, Hawaii Revised Statutes, for those
11 cases to which the statute applies.

12 SECTION 6. All unexpended and unencumbered balances of the
13 appropriations made in this Act as of the close of business on
14 June 30, 2016, shall lapse.

15 SECTION 7. If any provision of this Act, or the
16 application thereof to any person or circumstance is held
17 invalid, the invalidity does not effect other provisions or
18 applications of the Act, which can be given effect without the
19 invalid provision or application, and to this end the provisions
20 of this Act are severable.

21 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

Appropriations; Claims Against State

Description:

Makes appropriations for claims against the State, its officers, and its employees. Effective 7/1/2050. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

